

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 14 DECEMBER 2016

SUBMITTED TO THE COUNCIL MEETING – 21 FEBRUARY 2017

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr Peter Isherwood (Chairman)	Cllr Stephen Mulliner
Cllr Maurice Byham (Vice Chairman)	Cllr Stewart Stennett
Cllr Carole Cockburn	Cllr Nick Williams
Cllr Kevin Deanus	Cllr Andrew Bolton
Cllr David Else	Cllr Jim Edwards
Cllr Mary Forszewski	Cllr John Fraser
Cllr John Gray	Cllr Mike Hodge
Cllr Christiaan Hesse	Cllr Peter Martin
Cllr Jerry Hyman	Cllr Richard Seaborne

Apologies

Cllr Brian Adams, Cllr Mike Band, Cllr Pat Frost, Cllr Stephen Hill, Cllr Nicholas Holder, Cllr David Hunter, Cllr Anna James, Cllr Jeanette Stennett, Cllr Chris Storey and Cllr John Ward

Also Present

Cllr Patricia Ellis and Cllr Simon Inchbald

73. CHAIRMAN'S INTRODUCTION

The Chairman welcomed Councillors and members of the Public to the meeting, and introduced the Waverley Officers present:

Elizabeth Sims – Head of Planning
Peter Cleveland – Development Control Manager
Rachel Kellas – Principal Planning Officer
Graham Parrott – Planning Policy Manager
Martin Knowles – Transport Planner
Sean Rix – Heritage & Design Officer
Andrew Smith – Head of Housing Strategy & Delivery
Barry Devlin – Planning Lawyer

Additional attendees:

Mike Green, Surrey County Council
Will Bryans, Surrey County Council
Anita Bradley, External Legal Adviser

74. MINUTES (Agenda item 1.)

The minutes of the meeting held on 16 November 2016 were confirmed and signed.

75. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 2.)

Apologies for absence were received from:	Substitutes members attending from the appropriate Area Planning Committee:
Cllr Brian Adams	Cllr Jim Edwards
Cllr Nicholas Holder	Cllr Peter Martin
Cllr David Hunter	Cllr Andrew Bolton
Cllr Chris Storey	Cllr Mike Hodge
Cllr Mike Band	Cllr Richard Seaborne
Cllr John Ward	Cllr John Fraser
Cllr Stephen Hill	No substitute available
Cllr Anna James	No substitute available
Cllr Pat Frost	No substitute available

Cllr Jeanette Stennett had given apologies as she had declared an interest in the only item of business on the agenda that she felt precluded her from taking part in determining the planning application before the Committee.

76. DECLARATIONS OF INTERESTS (Agenda item 3.)

The following declarations were read out to the Committee:

Cllr Jeanette Stennett had given her apologies this evening as she had declared a non-pecuniary interest which she considered to have sufficient weight so as to undermine her ability to make an open-minded and objective decision, because before becoming a councillor she made her position clear in a letter to the Surrey Advertiser about being against the number of homes being proposed.

Cllr John Gray declared a non-pecuniary interest as he was a Dunsfold Parish Councillor and a member and treasurer of the Dunsfold Parochial Church Council; he was also a resident of Dunsfold and a Member of the Waverley Dunsfold Park Liaison Group. He also had been to Dunsfold Park and met the applicant on invite with the Chair of Dunsfold Parish Council. Although he had spoken at village events where this matter was discussed in the context of the Local Plan, and written two articles for the Dunsfold News, he was not a member of any protest groups but had spoken with POW on matters of fact. And, as a ward councillor he had spoken with the applicant on a number of occasions regarding local issues. He confirmed that he had always reserved his position on the application and encouraged both objectors and supporters to engage in consultation, and sought information from as many sources as possible in order to assess the benefits and harm of the plans for Dunsfold Park.

Cllr Kevin Deanus declared a non-pecuniary interest as he had met Jim and Jamie McAllister in his capacity as a Waverley Borough councillor and previously as part of his employment with Surrey Police. He had never met the applicants in a social manner, instead always in a formal capacity.

Cllr Mary Forszyszewski declared a non-pecuniary interest as she was the Chairman of Cranleigh Parish Council, and the former Chairman and Member of Cranleigh Parish Council Planning Committee, and a former trustee of Care Ashore.

Cllr Richard Seaborne declared a non-pecuniary interest by virtue of being Vice-Chairman of Bramley Parish Council, which had submitted comments on the application, and by virtue of being a Governor of Bramley Infant School where many of the parents had expressed strong opinions about the application.

There were a number of members of the Committee who had participated in discussions on this application at meetings of their Town or Parish council. No members felt that this resulted in their having an interest that would undermine their objectivity in considering the application and reaching a decision on the recommendation.

Cllr Andrew Bolton declared a non-pecuniary interest as he was socially acquainted with Will Bryans (Surrey County Council) through their membership of the same church.

77. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

Twelve questions had been received in accordance with Procedure Rule 10. The questions and responses had been circulated to Members of the Joint Planning Committee and published on Waverley's website alongside the agenda for the meeting.

The questions and answers are set out below:

From: Michael Nicholson

With regard to the inter-related issues of employment and housing I note the Application says:

"Current statistics indicate an imbalance between housing and employment, which if not addressed would see commuting increasing and the business rate income declining relative to the size of the population." (Page 136). Whereas elsewhere there is this statement "The Waverley Settlement Hierarchy - Factual Update (2012) identifies Farnham as the most sustainable settlement in Waverley having regard to factors such as access to employment, public transport, services and environmental constraints." (Page 141).

Taken together, do not these statements negate the justification for constructing Dunsfold since, if the identified housing demand is in the Farnham area, how can it be claimed that the construction of Dunsfold NT will reduce commuting?

Response:

It is accepted that there is an element of need for housing in Farnham specifically, however, in terms of housing need there is an overall Borough wide need for housing, which Dunsfold Park would assist in delivering. In terms of the proposed development, in maintaining and extending the established business park on-site, this will offer the opportunity for residents

to work and live on the site. Although, it is accepted that a number of future residents would commute away from the site.

From: Bob Lees, POW Campaign

My question relates to Previously Developed Land, variously known as PDL or Brownfield land.

In the Officers' report page 102 it says: 'In respect of the appeal under WA/2008/0788, the Secretary of State advised "(The Secretary of State) has also taken account of the Inspector's comments at IR355-358, and he agrees with the Inspector that the operational part of the aerodrome, including the runways and interstitial grassed areas, is previously developed land"' whilst they also quote "The applicants have advised that taking into account the Inspector's comments, the operational part of the aerodrome amounts in numerical terms to 86%."

There are then further references to 86% of the application site being PDL in the following pages. Reading the complete transcript of the 2009 appeal in relation to PDL, it is clear that at no time did the Inspector or Secretary of State define the PDL as 86%, rather the 86% was the figure quoted by the applicants in their submission to the appeal. It has generally been accepted going forward from this appeal that the Secretary of State's definition stands as written.

There have been repeated questions to Waverley over the past 12 months asking for a "land use plan" for the airfield to no avail and now we see the officers parroting the current applicant's figures for PDL. If one takes the definition as set out by the Inspector and Secretary of State, including the built up area at the north side of the site, and apply it to the current application area the maximum numerical area one can arrive at is approx 60%. This can readily be done using Google Maps. Yet the map on page 112 incorrectly shows the whole area as PDL.

It is clearly in the applicants' interests for as much of the site to be considered as PDL, what is less clear is why Waverley officers have blindly accepted this definition. Why have Waverley consistently refused to produce a land use plan for the airfield and why are they now just repeating the applicants' figures rather than doing a basic check which would reveal the clear overstatement of PDL?

Response:

There is no requirement to produce a land use plan for the airfield. Officers accept that the site comprises Previously Development Land, as it follows the conclusions of the Inspectors decision letter and that of the Secretary of State and. The specific percentage figure is not the defining position; rather the clear conclusions are that the operational airfield comprises Previously Developed Land as defined in Annex 2: Glossary of the NPPF. There can be no reasonable argument to conclude that the operational airfield is not Previously Developed Land.

From: Lynne Hamil

This proposal is a hybrid, combining the provision of housing with the development of the business park. Most of the additional business space proposed would be warehousing and warehousing generates HGV traffic. Combining the information

hidden deep in Appendix I the applicants' Transport Assessment with the work undertaken for WBC by Mott MacDonald suggests the proposed development would generate 350 and 670 additional HGV movements every day. (The number depends on how exactly this new space is used.) These numbers were provided to WBC and they are on page 87 of the officers' report. But, they have been ignored.

The traffic analyses done by SCC and others focus on the traditional peak hours. But these are not the peak hours for HGVs! The applicants' own data shows that almost half of these HGV movements will occur at night: from 60 to 300.

Yet since 2008, there has been a limit on the number of HGV movements permitted at night at Dunsfold Park: an average over a week of 10 per night at the Stovolds Hill entrance and 15 at the Compasses Gate. Acceptance of this proposal would increase the number of HGVs by an order of magnitude over this limit.

Of course, the lorries will no longer be using these gates: they will go direct on to the A281, up to Bramley, turning off to Alfold, to Cranleigh and to Dunsfold, disturbing residents at all hours (and causing pollution). Yet the officers argue, on page 161, that there will be no impact on tranquillity!

The proposed Section 106 agreement includes funding for "management measures in lanes in the vicinity of the development" (page 14). However, even if they are effective – and there must be some doubt about that! - they won't help Bramley. So given the totally unacceptable increase in HGV traffic, especially at night, on the roads in the south east of the Borough that would arise from the proposed increase in warehousing, why is it recommended that this hybrid application be accepted?

Response:

The Planning Condition that limits heavy goods vehicles (HGVs) between 2300 and 0700 hours in the planning consent (WA/2007/0372) was imposed by the Council due to concerns raised by Waverley Borough Council's Environmental Health Officer on the impact of overnight HGV noise on residents living adjacent to the Stovolds Hill and Compass gate accesses. In particular, it was noted that "Noise from lorries has been the cause of complaint, particularly from the Compass gate entrance." The limit on HGV numbers was set so that noise levels were kept at a "reasonable level".

It is considered that, with the proposed new direct access to the site from the A281 and with the closure of the Stovolds Hill access plus a restriction on HGV traffic using the Compass Gate entrance, the direct impacts upon local residents will be removed. It would therefore be unreasonable to apply a condition restricting HGV movements overnight, particularly as the new access will be direct onto the A281, which is an all-purpose road with no restrictions on traffic types and the movement of vehicles.

From: Michael Sutcliffe

I note that there have been over 5,000 objections to this proposal, that vast majority of which point out that it would generate major problems on the local roads, including the use of narrow country lanes as rat runs.

The very recently delivered report from the Surrey County Council (SCC) on transport issues is tucked away in Appendix 3 of the officers' report.

- SCC believe the traffic has been underestimated
- that the provision for parking is likely to prove inadequate and compromise the design of the scheme.
- It points out that "the study undertaken by Waverley on the Local Plan scenarios shows the provision of a significant quantum of housing at Dunsfold to be the least sustainable option in transport terms".

Overall, SCC argues that "There have therefore been insufficient changes to the previous proposals in 2009, or evidence demonstrating that in fact the development is sustainable in transport terms. Thus SCC's formal response to this application is to OBJECT on the basis that

"The development is not in a location where the need to travel and distance of travel can be minimised, and where the use of sustainable modes can be maximised, and would therefore be contrary to Core Planning Principle 17, bullet point 11, and paragraph 34 of the NPPF, and Waverley's saved Policy M1 from its current Local Plan"

The officers appear to have ignored both public feeling and the advice of the Highways Authority and mildly conclude (on page 233) that "Dunsfold is less than ideal from a transport perspective due to the site's relatively isolated location which can lead to high levels of car dependency." The impact of cars and lorries will be not just be on the A281 but throughout the local network and on villages such as Cranleigh, Chiddingfold, Hascombe, Busbridge, Shamley Green and many others.

Now the NPPF requires that the transport, social and economic considerations be weighed up to assess whether a proposal is sustainable. The officers argue that the social and economic benefits outweigh the transport problems. It is difficult to understand this. For example:

- The officers argue that it would use brownfield land and this is much better than using greenfield. Odd that this brownfield land produces a good hay crop!
- It provides affordable housing: but this is in the wrong place as the demand for housing is in the east of the Borough where the jobs are.
- Infrastructure of all kinds, but particularly transport, is acknowledged to be lacking in the area, yet there are no firm proposals or sums of money allocated by the developer as part of this proposal – just promises to negotiate a s106/s278 later – to approve a major application like this on the basis of vague promises is completely irresponsible.

The economic benefits are very limited. Most of the business space to be provided will be warehousing and WBC's own consultants pointed out in the context of the draft Local Plan, that there is already a surplus of warehousing in Waverley.

My question is; given the Objection of the Highways Authority and the enormous transport problems that would be generated by this development and the very limited social and economic benefits, why does the Council consider this proposal to be sustainable as defined by the NPPF?

Response:

It is not agreed that the social and economic benefits of the scheme are limited when assessed against Paragraph 7 of the NPPF and the Officers'

conclusions regarding the three dimensions to sustainable development. In terms of the transport impact, this is considered to be acceptable from a highway safety and capacity point of view. The County Highway Authority has not objected to the proposal on technical grounds and concludes that there would not on transport grounds be a severe residual cumulative impact. Therefore when balancing the objection by the County Highway Authority, on transport sustainability grounds, this adverse impact would not significantly and demonstrably outweigh the benefits of the scheme. This is set on pages 232- 236 of the agenda report.

From: Chris Britton

My question relates to Prematurity of this Application in the light of Waverley's draft Local Plan.

In the report at the top of page 107 officers articulate reasons for rejecting the application on the grounds of prematurity. Given the timing, namely that the Draft Local Plan *is* at an advanced stage having been passed for submission and Examination last week (29th November); furthermore, that the development *is* substantial and its cumulative effect would be significant; there seems a prima facie case for prematurity.

It is therefore surprising to learn that Counsel's advice (although not explained in detail) is stated to be that 'the Council would not be able to reasonably sustain a reason for refusal on the grounds of prematurity'.

While the Council has sought that legal advice, it is not the only legal opinion on the matter of prematurity:

Although refusal for reasons of prematurity usually arises when a proposal breaches an emerging Local Plan Policy, prematurity is plainly not limited to such a circumstance. In particular, a refusal on the grounds of prematurity is equally apt to meet a situation where a very substantial proposal is:

- (a) Contrary to a policies within an extant Local Plan; (which is the case for WA/2015/2395 as this is contrary to the policies set out in the 2002 Local Plan;)
- (b) Supported by a draft policy within an emerging Local Plan, (In this case, Policy SS7);
- (c) That draft policy (in this case, SS7) is highly controversial, (evidence shows SS7 is not supported by a large proportion of the local population)
- (d) To grant permission would undermine the Plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan.

The report fails to acknowledge that draft policy SS7 is highly controversial, attracting over 3000 representations against it or matters connected with it, in the recent consultation on the Draft Local Plan. For the Council to ignore the weight of local opinion on this emerging policy would be against democratic principles and all that NPPF stands for.

My question therefore is: Does the Council accept that the opinion of its Counsel on the question of prematurity is not the only legal opinion on the matter of prematurity in this case?

Response:

There may well be alternative legal opinions on the matter of prematurity. However, officers consider the advice of its Counsel to be justified and sound. This also concurs with the case put forward by the applicants, which is also supported by Counsel's Opinion. The full reasoning for the conclusions of Counsel and officers is set out on pages 106 – 109 of the agenda report. The report does acknowledge that there are unresolved objections to Policy SS7. Page 115 of the agenda report identifies that there are "unresolved objections at this time, and as such only limited weight should therefore be attached to the policy". The report acknowledges that the Local Plan is due to be submitted for examination in the near future. This could result in the Plan being considered to be at an advanced stage. However, having regard to the number of dwellings proposed, (18% of the total housing needs), and that the proposal is consistent with the pre-submission Local Plan Part 1, the first stage of the two-stage test in respect of prematurity is not met.

From: Cilla Britton

The Council has a duty to protect the setting of Listed Heritage assets. Hall Place Farm is medieval and Listed Grade II. Its setting overlooks the eastern part of Dunsfold Aerodrome from the north. This is currently an area of grassland which has never been built upon (apart from a screened low level industrial building). The Developers and Officers have failed to acknowledge this material consideration in their reports, despite it being well within the area studied.

The Building Parameters Plan shows blocks of buildings up to 60 feet tall in this area. In addition, there are two towers, each 100 feet tall. These buildings do not reflect the character of the local landscape, where buildings over 3 storeys (around 30 feet) are very rare. The inclusion of the Building Heights Parameter Plan in Condition 5, means that building heights are predetermined prior to their proper discussion in the Reserved Matters phase.

Therefore, if permission to develop Dunsfold Park is granted, with buildings of up to 60 feet and the 100 foot towers included, it will have an adverse impact on the setting of a Listed Heritage Asset, contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990.

My question is: What is the Council's opinion of the appropriateness and impact of 100 feet high towers and blocks of 60 feet high buildings in this rural area, as endorsed by the Condition 5 Building Heights Parameter Plan?

Response:

The list of the Listed Buildings considered by the applicant is set out in appendix 9.1 Gazetteer of Cultural Heritage. Hall Place Farm House is Grade II

Listed is identified as number 14 on this list. There are some 40 Grade II Listed Buildings identified by the applicant. Not all of these are identified by name in the report. Hall Place Farm House is located some 500m due north of the application site boundary. Hall Place Farm is a late fifteenth century hall house with C17 extensions. The house was also extended and altered in the twentieth century and in 2009. Despite these alterations the building is recognisable as an ancient farmhouse retaining much of its earliest fabric. It illustrates the farming tradition of Surrey in the late medieval and early modern period. Together with Hawkins Farm and the Old Farmhouse, it reinforces a perception of dispersed farm holdings on the low weald but forming a loose community of small land owners.

Historic England states the setting of a heritage asset is different to and separate from a legal or historic understanding of curtilage and of context. Setting can be described as the surroundings in which a heritage asset is experienced. This experience can be visual and auditory but might also include stimulation of the other senses. In the case of Hall Place Farm, its setting within open countryside is vital to understanding the link the inhabitants of the dwelling had with the land. Arguably the house would not have been built in this location without the necessity of its inhabitants to conveniently access the land they cultivated and the animals they tended. The sound and smells of farm animals have largely been lost from the immediate setting of the house as it is no longer a working farm. The fields that surround it are still used for grazing. It is the Council's Historic Buildings Officer's (HBO) view that this would not change as a result of the proposed development. He is therefore satisfied that the immediate setting of the listed building would not be harmed by the proposed development.

There is also a consideration to be made regarding the wider setting of the historic house. It is difficult to confirm the extent of the farm land owned by the inhabitants before the nineteenth century. In the nineteenth century, estate maps were produced that did show how far the land extended. The Council's HBO is satisfied that although ownership may have extended to well within the site of the proposed development, there was no intention on the part of the owners of this land to visually link this land with the historic farmhouse by way of a designed and manipulated landscape before the nineteenth century. This changed in the nineteenth century when a country house was built and gardens were laid out to the south of the medieval farm building. The first and second edition O.S. County series maps suggest the farmhouse was not intended to form part of the formal gardens and seems to be separated by an orchard. This is to be expected as it can be assumed the farmhouse still formed part of a working farm. The Council's HBO is satisfied that the listed building was not intended to be seen as part of this nineteenth century designed landscape nor were the gardens intended to be enjoyed from inside or directly outside the farmhouse.

Any views to the wider landscape from the farmhouse, designed for enjoyment or agriculture, are incidental to an appreciation and enjoyment of the special interest of the listed building as a historic farmhouse. Views from Hall Place Farm that would include any future development on the historic airfield would not prevent an understanding of the historic context of the farm complex. Views across the landscape towards Hall Place Farm would not be affected by the proposed development to any great extent. In any case the

proposed development would not conceal the building or prevent an appreciation of it within a rural setting. The HBO is therefore satisfied that the proposed development would not harm the immediate or wider setting of Hall Place Farm.

The nearest identified buildings were some 50m from the boundary. Nonetheless, an assessment of the significance of the buildings, as well as the impact of the proposal on all off-site listed buildings within 1km, is contained on page 213 of the agenda report. The report is therefore considered to provide a comprehensive assessment of the impact on heritage assets, both on and off site.

Reference is also made to page 189, which contains an assessment of the impact of the proposal on residential amenities and compatibility of uses. The question suggests that the report is inaccurate as it omits the properties on Stovold's Hill and Hall Place, a similar distance to the north of the site. However this comment is considered to be misleading. These properties are further away from those dwellings referenced which share boundaries with the application site and/or are directly adjacent to the site and/or the proposed access points. Nonetheless, a comprehensive assessment of the potential impacts of the proposal on residential amenities is contained within the officer's report.

In respect of the concern that the Condition 5 (plan numbers) gives developers a green light to buildings of this nature all over Waverley Borough, this is not the case. Each application is assessed on its own merits. The parameter plan itself indicates a range of building heights across the scheme, with only a small portion of the site indicatively shown to contain 4 storey buildings. There are a number of other examples across the Borough, primarily within village and town centres where there is higher density development, in some cases 3-4 storeys in height. As such, the use of some taller buildings within the scheme could be acceptable. The report does not omit consideration of the parameter heights plan. Specific reference is included within the "Design and layout" section of the report contained on pages 185 – 189 of the agenda report. In addition, further consideration of this matter is contained within the "Impact on the Countryside" section which starts on page 154.

The detailed design of the proposal would be a reserved matter for consideration as part of a reserved matters application. Notwithstanding, officers have had due regard to the parameter heights plan in assessing the acceptability of the scheme. Whilst indicative, it provides an appropriate base for assessment, and some 4 storey buildings could be acceptable as part the overall Masterplan for the site. Officers are satisfied that a design approach could be achieved which reflects the Surrey vernacular. Condition 29 (page 248) requires the submission of a detailed Masterplan, which will consider the design and height matters in further detail.

From: Michael Lord

How can Officers consider Dunsfold Park to be a sustainable location, when the main reason for refusal of the application for 400 houses at Springbok Estate, just a

few metres away was that “the site is isolated from the higher order settlements and amenities required for day to living, the quantum of development is therefore unsustainable and special circumstances have not been demonstrated that would outweigh this harm. The Council will demonstrate that the site is isolated and would lead to heavy dependence on car borne travel, and that the proposal would be contrary to the objectives of paragraph 55 and Section 4 of the NPPF as well as Policies M1 of the Waverley Borough Council Local Plan and Draft Policies SP1 and SP2 in the Emerging Local Plan and does not constitute sustainable development”.

Response:

The officers’ report does in fact recognise that the site is in a location that is remote from existing facilities. One of the key differences between the current application site and other nearby proposals is the proposed provision of on site facilities and a bus service. As set out on page 145 of the officers’ report, “the range of facilities that would be provided, together with the proposed transport facilities, would satisfactorily mitigate and balance out the isolated nature of the site’s location.” In addition, there is a host of on-site services, facilities and employment which offers a significantly different scenario to the existing position and the development proposed at the Springbok Estate (planning reference: WA/2015/1381).

From: Sarah Sullivan

Having read the Officers Report for the planning application WA/2015/2395 I note with particular interest in the aspects relating to Heritage Assets and the acknowledgment that Historic England considers this airfield as an undesignated Heritage Asset.

In 1986 the Councils own documentation relating to Heritage Features omitted the airfield due to lack of access.

This application’s ‘Cultural Heritage and Archaeology appendix12-4’ does not fully explore the site as access to all areas was also restricted [reference: A Photographic Record of Significant Buildings carried out by the Airfield Research Group in 2007].

The application sees the substantive demolition or removal of the majority of the 3 runways, perimeter track and aircraft hard standing.

Yet the report before this committee states 'The retention of the main runway and jump pads, which are considered to be significant structures, would be respected and retained as part of the development'.

Further, I note the current heritage designation and the Conservation Area request pending. These underline the importance of the Council discharging its duties to protect heritage assets from the impacts of development that cause harm.

My question is therefore:

As Historic England and Waverley BC itself are currently reviewing the heritage assets on Dunsfold Aerodrome and the outcome of these reviews may directly impact on the proposal, what steps are the Council taking to ensure that this process happens in the correct and proper sequence?

Response:

There is no legal requirement (nor any decided legal court case) that a major planning application itself should be held indefinitely, pending the outcome of a more recent application for the designation of a heritage asset which itself / themselves are not going to be adversely affected by the development proposals, which are outline (with detail for reserved matters) and as to the full application elements (in where particular buildings and other assets are scheduled and identified in the report) there is perceived to be no likely adverse effect .

In fact due process requires that applications for the designation of heritage assets cannot be abridged in any way and need to follow their own course. They are thus separate and distinct matters.

The judgement of the Local Planning Authority is overriding here, in that the proposal would not harm the setting of a designated heritage asset.

Further, and also, the 2008 Eco Village Inspector's report to the Secretary of State did not find any heritage assets on this site which required assessment and thus to be the matter of report to the Sectary of State. The LPA has noted this background position in judging how to proceed with its own process and these matters, opposite the major planning application currently under consideration.

The heritage assets assessment is set at length in the Committee report.

From: Sarah Godwin

Current statistics indicate an imbalance between housing and employment, which if not addressed would see commuting increasing and the business rate income declining relative to the size of the population. (Page 136).

If the identified housing demand is in or around the Farnham area how can you possibly justify your claim that the construction of Dunsfold NT will reduce commuting?

Response:

It is accepted that there is an element of need for housing in Farnham specifically, however, in terms of housing need there is an overall Borough wide need for housing, which Dunsfold Park would assist in delivering. In terms of the proposed development, in maintaining and extending the established business park on-site, this will offer the opportunity for residents to work and live on the site. Although, it is accepted that a number of future residents would commute away from the site.

From: Sonya Dixon

On what basis, despite over 5000 objections and especially with the weight of a Surrey highways objection against the location being unsustainable can a new town be approved?

Response:

The application is to be determined in accordance with the legal requirement to consider the proposal in terms of the Development Plan and other material considerations. The officers have made the recommendation for approval following detailed consideration of all material considerations. It is considered that the conclusions set out on pages 232 – 236 of the agenda provide a clear overall conclusion of all material considerations.

From: Charles Orange

New documents have been submitted during the past week by the applicant and made available to be seen by the Public. These include, in particular, an important paper containing a new proposal re drainage into the River Lox and also a Landscape Impact Assessment. These will deserve careful consideration. In addition, around 385 pages of papers are attached to the Agenda for the meeting of the JPC which need to be read and understood and questions raised. It is presumed that the JPC and Waverley Borough Council wish that the application is properly considered.

Why has a period of only just over a week been allowed between the publication of the papers and (December 14th the date of the JPC meeting) rather than at least 21 days?

Response:

The documents referred to are technical documents and provide clarification in response to technical consultation responses from statutory consultees. There is no requirement for further consultation on these matters, as such; the Council has not carried out a formal consultation, following receipt of these documents. The process for publication of an agenda prior to the Committee meeting has followed normal process.

From: Adrian Clark

"We have studied the applicants' proposed drainage strategy for this site. It states that the applicant proposes to construct a Stage One Sewage Treatment Plant on site. The effluent discharge from the plant will be pumped into the Wey and Arun Canal adjacent to the site.

As you well know, this stretch of canal is quite short, running from the airfield side of Sidney Wood to the A281 at the junction with Alfold Road. It is simply like a long pond, and there is no short-term plan to extend it or to make it "flow" in any direction. Pumping sewage effluent into a non-moving water body contravenes the Permitting Regulations and the Water Framework Directive.

As the level in the canal rises due to the amount of sewage effluent entering it, the applicant's plan is for the sewage effluent to then be transferred via a sluice into GB106039017810 Cranleigh Waters, and you are well aware of the existing serious

pollution problems in Cranleigh Waters. We assume that you know that the Environment Agency and Thames Water have set up a working party to analyse the problem and come up with a solution (their inaugural meeting is on 16-Dec-16).

How is the Council meeting its responsibilities under the Water Framework Directive and particularly the "no deterioration obligation", in allowing sewage effluent from 1,800 dwellings as well as care accommodation, a new local centre comprised of retail, financial and professional, cafes/restaurant/takeaway and/or public house, in addition to new businesses, industrial units, and a primary school, to be discharged initially into the Wey and Arun Canal, a disconnected non-moving water body, and from there into Cranleigh Waters, which your own Water Cycle Scoping Report from August 2016 (prepared for the Waverley draft Local Plan) states is failing under the Water Framework Directive? Secondly, how can the Council reasonably claim that the water quality status will not be further detrimentally impacted and the river basin management plan will not be compromised?"

Please would you point out to members the updated (updated in 2014) sentencing guidelines so that members are fully aware of the legal situation if they are minded to ignore the above? You can look this up from the following link:

<https://www.sentencingcouncil.org.uk/publications/item/environmental-offences-definitive-guideline/>

The Environment Agency sent you an email on 22-Apr-16 explaining in more detail local authority obligations in respect of the Water Framework Directive. Whilst that email was about another planning application, it was general in nature and very helpful in laying out Waverley's obligations under WFD.

Response:

The final drainage details are a reserved matter that would be secured as part of any subsequent reserved matters application. The findings of the recent AMEC study confirm that improvements are achievable in the plan period. The LPA would fulfil its duty under the Water Frameworks Directive, but this role would be reserved for the detailed design stage.

The appropriate mechanism for securing this outstanding requirement is via a safeguarding condition pursuant to paragraph 109 (general ecology/biodiversity) or (203 – 206 use of conditions) of the NPPF.

78. APPLICATION FOR PLANNING PERMISSION - WA/2015/2395 - DUNSFOLD PARK, STOVOLDS HILL, CRANLEIGH (Agenda item 5.)

Proposed development

Hybrid Planning Application; Part Outline proposal with all matters reserved for a new settlement with residential development comprising: 1,800 units, 7,500 sqm care accommodation; a local centre to comprise retail, financial and professional, cafes/restaurant/takeaway and/or public house up to a total of 2,150 sqm; New business uses including offices, and research and development industry up to a maximum of 3,700 sqm; light and general industry up to a maximum of 7,500 sqm; storage and distribution up to a maximum of 11,000 sqm; a further 9,966 sqm of

flexible commercial space; Non-residential institutions including health centre, relocation of existing Jigsaw School into new premises and provision of new community centre up to a maximum of 9,750 sqm; a two-form entry Primary School; Open space including water bodies, outdoor sports, recreational facilities, canal basin and nature conservation areas; public transport routes, footpaths and cycleways; landscaping; the removal of three runways; all related infrastructure including roads, car and cycle parking, energy plant and associated equipment, water supply, telecommunications, drainage systems and waste water treatment facilities;

Part Full application for the demolition of 8,029 sqm of existing buildings and the retention of 36,692 sqm of existing buildings, for their future use for a specified purpose as defined by the Use Classes as specified in the schedule of buildings and their uses; and the temporary use of Building 132 for a construction headquarters.

As amended by addendum documents (site wide travel plan, transport assessment), Environmental Statement addendum (updates include flood risk, access traffic and transport, air quality and odour, noise and vibration) and amplified by additional information on retail impact, sustainability assessment, water strategy, responses to third party comments, housing position statement with indicative housing mix, amended Drainage Strategy, Natural England Memo and Risk assessment for treated sewage disposal.

This application is accompanied by an Environmental Statement (and addendum) at Dunsfold Park, Stovolds Hill, Cranleigh”

Elizabeth Sims, Head of Planning, introduced the planning application by setting out the context and background against which the application should be considered:

This was clearly a very significant development. Reflecting this, the application had been under consideration for about a year and had been subject to extensive assessment, consultation and negotiation. Officers recognised that there had been a huge amount of interest in the scheme from a wide variety of individuals and bodies. Officers had carefully and properly considered all consultation responses and representations and taken them into account in drawing conclusions.

This was a hybrid application for a mixed use new settlement, capturing the fact that the application was mostly in outline form, but partly in detailed form. The outline element of the scheme was essentially for the main part of the new settlement, covering the aerodrome. Importantly, all matters would be reserved. The outline part was seeking to establish the principle of development as proposed on the site. The key question for Members, in relation to the outline element, was whether they were satisfied that the application had demonstrated that the settlement of up to 1800 units with the additional proposed facilities/uses could be accommodated on this site in a satisfactory way, in planning terms. Members were NOT being asked to agree tonight the details of that part of the scheme which would be submitted subsequently: namely access, appearance, landscape, layout and scale.

The application provided indicative details in respect of proposed access, to assist Members’ assessment of the principle.

The detailed part of the application involved demolition of some of the existing buildings on the northern part of the site (on the Business Park) and the retention of others. This element of the proposal had to be a detailed application because the intention was to change the use of some of those buildings and changes of use could not be made in outline form.

A very important part of the assessment of the principle of development was whether sufficient infrastructure and mitigation had been offered and secured as part of the application, to offset the impact of the development. The report included, in full, the extensive package of transport and other infrastructure measures under Highway Works agreements, Section 106 and Conditions that had been offered and secured to support the development. In relation to this, it was important to remember that infrastructure contributions had to be justified in terms of the CIL Regulations: they had to be necessary, related to the development, and fairly and reasonably related in scale and kind.

Similarly conditions, in accordance with guidance in the NPPF, had to be reasonable, necessary and relevant. The requirement for mitigation measures/ infrastructure on the application, in most cases, had been informed by the expert advice of consultees to ensure that the legal/policy tests had been properly met. Many respondents had suggested that the infrastructure package should be changed or enhanced. It was important to remember that such changes would need to be essentially and technically justified to comply with the law or could be legally challenged; or, in the case of conditions, appealed. It was the view of Officers that, taking into account in particular the expert opinion of the County Highway Authority, the application did satisfactorily mitigate its impact on infrastructure.

Mrs Sims reminded the Committee of the decision making framework: the planning system was plan-led, and planning law required that applications for planning permission must be determined in accordance with the development plan unless material considerations indicated otherwise. The NPPF was a material consideration. This meant that the starting point for the assessment of the application was Waverley's Local Plan 2002. Due weight should be given to relevant policies in the adopted plan according to their degree of consistency with the NPPF. Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development, which is a golden thread running through decision taking.

For this application, this meant that where the development plan (Local Plan) was silent or out of date, sustainable development should be approved unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework or where specific policies in the NPPF indicated that development should be restricted. The report advised where policies in the adopted plan were out of date.

The report addressed the full suite of relevant matters. However, there were three key material considerations sitting under the development plan to consider: the previous planning history (including the previously dismissed application for a new settlement under WA/2008/0788); the NPPF published in 2012; and, the emerging Local Plan (Pre Submission: Strategic Policies and Sites). The relevant weight to be attached to these considerations was set out in the report.

In terms of the principle of development, the site was located within the Countryside beyond the Green Belt outside of any defined settlement or developed area.

The key policy of the Development Plan was Policy C2 of the Waverley Local Plan 2002 (Countryside beyond the Green Belt), which stated that the countryside would be protected for its own sake. Paragraph 3.18 stated that the countryside in the Borough was a fundamental part of its character and should be safeguarded. The policy therefore had three strands: protection of the countryside for its own sake; protection of the character of the countryside; and, restriction on isolated development.

The NPPF stated that weight could be given to an adopted Plan depending on the degree of compliance with the NPPF. Policy C2 was only partly compliant with the NPPF as the requirement to protect the countryside for its own sake was not a policy principle that appeared in the NPPF. The other two aims of Policy C2, protection of character and restriction of isolated development, were broadly consistent with the NPPF. Policy C2 was therefore partly up to date and could be afforded significant but not full weight, but should be regarded as not “up to date”.

As a result, Paragraph 14 of the NPPF was engaged and the presumption was in favour of granting sustainable development unless any adverse impacts would significantly and demonstrably outweigh the benefits. In relation to Section 38(6) of the Planning & Compulsory Purchase Act 2004, the application was in partial breach of Policy C2 in the Development Plan. However, the considerations in support of the development, including the development’s benefits, and the support for this form of development in the NPPF, were material considerations that justified a decision otherwise than in accordance with the Development Plan policy. This was the approach that had been adopted in the officers’ assessment and amplified in the conclusion and the planning balance: where there was conflict between the adopted Plan and the NPPF, the latter should be given greater weight.

In relation to planning history, WA/2008/0788 had been dismissed by the Secretary of State for 3 principal reasons (prematurity; highway capacity, and sustainability). The report clearly set out what had changed in planning terms since that decision. Those differences were material and should be taken into account in the Committee’s assessment. The differences included a significant change in the national policy position with the NPPF - its housing growth imperative and its requirement to meet Objectively Assessed Need; the changing of the transport assessment bar from “significant” to “severe” impact (a less stringent test); and its encouragement of the development of brownfield land and garden villages.

Further changes since 2009 were the significant uplift in the Council’s housing target, from 250/year to 519/year, and the greater need for the application site to deliver that need to help provide a 5-year land supply. The position in respect of “prematurity” had also changed since 2009.

The differences were explained in the report, and were highly material to the determination of the application. It would not be appropriate or reasonable to conclude that there had been no material changes in circumstances since 2009 and that the previous decision should prevail in isolation. The weight to be attached to the previous appeal decision was limited by the material changes in planning circumstances.

A third important material consideration to be highlighted was the emerging Local Plan. The Council had agreed the Waverley Local Plan for Submission to Government for Examination on 29 November 2016. At this stage, Members were advised that significant (although not substantial weight) could be given to the Plan but that they should take into account the degree of unresolved objections to policies on the plan. The key policies that were relevant to this application were SP2 (Spatial Strategy), ALH1 (Amount and Location of Housing) and SS7 (New Settlement at Dunsfold Aerodrome). There were unresolved objections to those policies and so the weight that could be attached to them was limited by that. However, it remained an important consideration that the Council had formally supported the Plan at this stage and that, in principle, it recognised, through those policies, that Dunsfold Aerodrome should accommodate housing development up to 2,600 dwellings subject to the provision of appropriate infrastructure. The current application for 1800 homes and other uses proposed a package of measures that sought to do that. Officers, taking into account the expert opinion of the County Highway Authority in particular, considered that adequate mitigation and infrastructure could be provided and delivered to support the development

With regard to the issue of whether determination of this application would be premature in advance of the emerging Local Plan being found “sound” at Examination, much concern had been expressed on this point. As set out in the report, the NPPG set out guidance on this which stated that an application for sustainable development was unlikely to be premature unless the harm significantly and demonstrably outweighed the benefits.

There were two likely situations quoted in the guidance and the application did not engage the first of these as the development was not so substantial that to grant planning permission would undermine the process by predetermination. This was a significantly different situation to 2009 when the development constituted proportionately a much larger proportion of the housing target and the Council had not, at that stage, agreed a Local Plan Strategy in principle, which it clearly had now. This approach was fully supported by the Council’s lawyers.

Finally, Mrs Sims confirmed that the concerns of the County Highway Authority in relation to the location of development had been taken into account in the assessment of whether the proposal constituted sustainable development. The Committee was reminded that their assessment of sustainability should reflect the full definition of sustainable development, to include the economic and social benefits and not just the transport/environmental considerations; also, whether any harm can be reasonably mitigated. In addition, the assessment should be a balanced one, reflecting the requirement of S 38 of the Planning & Compulsory Purchase Act 2004 and Paragraph 14 of the NPPF, and so any concern on grounds of location should not be considered in isolation but considered against the benefits of the development including meeting affordable and market housing requirements and re-using brownfield land in order to comply with the law and national policy.

Peter Cleveland, Development Control Manager, then took the Committee through the Officer’s Report, including the site plans and indicative land use plan, and the Heads of Terms of the proposed legal agreements (Section 278, Section 106). The Outline application indicated that there would be a new access to the site, and this

would be supplemented by the existing Compass Gate access (for non-HGV traffic) and the Stovolds Hill access (for buses and emergency vehicles only).

The impact of the proposed development on the highways network had been modelled by the applicant's experts (Vectos), with mitigation measures proposed, including new bus routes and improvements at key junctions to address the marginal increase in traffic that would result from the development. The applicant's traffic assessment had been reviewed by Waverley's transport consultants (Mott McDonald) as well as the County Highway Authority (Surrey County Council). It was noted that the eleven local parish councils had jointly commissioned their own traffic assessment of the application (Vision Transport Report). There had been no objection to the application from Highways England. The County Highway Authority had not objected on highway safety grounds, although they continued to object on the principle of the location being unsustainable in transport terms. However, this had to be balanced against the benefits of the application.

The Environment Agency had confirmed that the application was acceptable from a flood-risk perspective, but had an outstanding objection in relation to the impact on water quality in the Wey & Arun Canal and Cranleigh Waters of the sewage treatment works discharge. Officers considered that this risk could be addressed through planning condition, and proposed Condition 13 had been amended accordingly.

Representations had been made in relation to the undesignated heritage assets at Dunsfold Park, including the airfield features. The Council had received a request to designate Dunsfold Park Aerodrome as a Conservation Area, to protect undesignated heritage assets. Historic England had also received an application to designate the property known as Primemeads. Planning Officers had taken legal advice and were confident that neither of these prevented the outline planning application being determined with regard to the heritage designations currently in place; if new heritage or Conservation Area designations were agreed, these would have to inform the development of the Reserved Matters application, and its subsequent assessment and determination.

Rachel Kellas, Principal Planning Officer, then drew the Committee's attention to the Update report and in particular: clarification with regard to the weight to be given to Local Plan Policy C2 in relation to the NPPF; revisions to the Highways heads of terms and wording of other planning obligations; updated responses from consultees (Natural England, Historic England, Environment Agency, and Guildford Borough Council); and additional representations from objectors and the applicant.

Having considered the additional information reported in the Update, Officers had set out a revised recommendation to grant outline/full planning permission as set out in the Update report.

Public speaking

In accordance with the Council's arrangements for public participation at meetings, the following made representations in respect of the application, which were duly considered:

Bob Lees, Protect Our Waverley (POW) Campaign - Objector

Nik Pidgeon, Chairman Alford Parish Council & Charles Orange, Chairman Hascombe Parish Council
Mike Derbyshire – Applicant's team

Debate

Cllr Simon Inchbald had registered to speak in accordance with Procedure Rule 23, as one of the Ward Councillors covering the application site.

Cllr Inchbald said that he accepted the need for housing in Waverley, but remained convinced that this proposal was too big, and in the wrong place. The 2008 application had failed on the ground of transport sustainability, and since then the number of cars on the A281 had increased. The proposed mitigation was dubious and did not overcome the fact that this was an unsustainable location, and he urged the Joint Planning Committee to reject the planning application.

Cllr Deanus, as Ward Councillor, made an opening statement expressing his personal views on how he felt lives would be impacted by this application. Determination of this application would be an important chapter in Waverley's history, and would impact on generations to come. Cllr Deanus particularly highlighted the impact of traffic on the local villages and on the minor roads and felt that there had been a selective interpretation of the County Highway Authority's representations by officers. Cllr Deanus specifically referred to the comment that the mitigation was a 'leap of faith' (p 54 of the report). He did not feel that the views of the County Highway Authority had been given full consideration.

Cllr Deanus also highlighted the objection by the Environment Agency which he felt had been dismissed as a matter of detail; and, he maintained that Guildford Borough Council had not formally withdrawn its objection and continued to have serious concerns about the proposals. He also noted that the Cranleigh Civic Society disputed that the benefits of the proposals outweighed the harm, and viewed the proposals as being contrary to Policy C2 on all counts. Cllr Deanus also disputed the assertion that the application site was 86% brownfield, which had not been confirmed by the previous Planning Inspector.

Cllr Deanus further also raised concerns in relation to the undesignated heritage assets and comments from Historic England; proposed housing density; conflicts between funding and provision of health facilities on site; and the objection from the AONB.

In summing up, Cllr Deanus remained convinced that the application should be refused on the basis of it being unsustainable.

The Chairman invited officers to address the points raised by Cllr Deanus before inviting the Committee to continue their consideration of the application. Mrs Sims responded:

- The accuracy of the proportion of brownfield land referred to in the earlier planning appeal was largely irrelevant as the assessment in the report had been made on the basis of the current application; the majority of the site was clearly brownfield land.
- Surrey County Council (the County Highway Authority) had no objection on grounds of highway safety or capacity. They had maintained their view that

they did not want development in a rural area, but the district council had to weigh up other factors: it was a brownfield site, available, accepted by the Council, and being promoted. The objection on the grounds of sustainability would not be sustainable in isolation.

- There had been lengthy discussions with the Environment Agency, and their views were valid. The development had to demonstrate compliance with the Water Framework Directive. It would not be sufficient grounds for refusal, and it was within the rights of the planning authority to delegate this matter to be resolved through an appropriate planning condition.

Mr Cleveland advised:

- The Guildford Borough Council consultation response had been updated following their receipt of Counsel opinion, and they now required both a planning condition and a S106 planning obligation. Condition 28 had been amended accordingly, and the S106 heads of terms; Informative no. 9 would also be amended. Subject to these measures being included, Guildford Borough Council had confirmed they had no objection.
- Notwithstanding the application for Dunsfold Park Aerodrome to be designated as a Conservation Area, advice from the Council's Legal Team and Heritage Officers was that the planning application should be determined on the basis of the current heritage designations; this approach had been validated by Counsel opinion. The impact of any subsequent Heritage designation would be considered at the Reserved Matters stage;
- Guildford & Waverley CCG had supported the provision of a GP surgery on site;
- Whilst the AONB had objected, Natural England had withdrawn their objection and they were the statutory consultee.

Mr Green, Surrey County Council, also put in context the quote highlighted by Cllr Deanus regarding the mitigation package: the package overall was an acceptable approach to mitigation; providing a method of delivering a bus network for the life of the development was unique, and therefore this element was a 'leap of faith', but that was not a reason not to try it, if Members were minded to grant permission. The mitigation package contained a lot of flexibility to cover future design work, and a contingency fund for unforeseen consequences of the development.

Cllrs Cockburn, Forszewski, Martin, Bolton and Goodridge made comprehensive statements in support of the application, highlighting:

- The updates received by Members during the year to keep them informed of progress and issues relevant to consideration of the application, so that the agenda report was effectively a summary and there had been ample time to read and digest it;
- The appeal Inspector's decision and report reflected a very different time and circumstances; there had been no threat to countryside beyond the Green Belt then but it was a very different matter now; the Inspector had agreed that the site has many benefits;
- The site visit had highlighted what a vibrant centre of employment the site was, and there was no reason not to grant full permission for that element of the application;
- As far as the outline application was concerned, this was a large brownfield site with no history of flooding and adjacent to an A-road; there would be

harm but not so much as to outweigh the benefits once mitigation was taken in to account;

- All A-roads in Surrey were congested, but the County Highway Authority was satisfied with the mitigation measures, and the package was generous compared with other recent planning permissions granted; 765 homes had already been approved in Cranleigh with further appeals pending, and there were minimal infrastructure contributions relative to the number of homes;
- Both Cranleigh and Farnham had lost green fields to development because of delays on Dunsfold Park; the site was a rare commodity - not in Green Belt, not AONB, brownfield, and identified in the Local Plan as a strategic site;
- There were three strands to the sustainability issue – social, economic, and environmental – and the application satisfied some, although not all of these; neither the County Highway Authority nor Environment Agency objections were showstoppers, given the balance of benefits.

Cllrs Stennett, Seaborne, Grey, and Byham made statements against the application, drawing attention to:

- The outstanding objections from the County Highway Authority and the Environment Agency; there was no need to rush to a decision whilst these issues were unresolved;
- There was obviously a need for housing in Waverley, but this location was not where people lived and worked;
- The arguments in the report appeared to be trying to justify inclusion of the site in the Local Plan, before the Local Plan had been examined;
- There were concerns at the lack of clarity around the proposed site access points, which were part of reserved matters; access was one of the key issues and there was concern that Compass Gate and Tickners Heath gate appeared to be retained;
- The application was not sustainable on any grounds: there would be a range of pollution (light, air, water), housing was not where it was needed, and there was an excess of the business uses proposed on site;
- The A281 was the same as it had been in 1966, with no real improvements made in the infrastructure; more detail was needed about the measures proposed for Bramley, both the traffic lights and the bus priority provision, before houses were built.

Whilst stating that they were not necessarily opposed to the application, Cllrs Mulliner and Hyman also raised concerns in relation to traffic issues and adequacy of the mitigation; the robustness of the traffic modelling; prematurity of the application in relation to the status of the Local Plan; the challenge to the Housing Needs figure that would be followed up in the Local Plan examination; uncertainty over the need for an Environmental Impact Assessment for 2600 homes, given that the Local Plan had allocated that number to Dunsfold Park.

Officers responded to questions and points raised during the course of the discussion:

- The issue of prematurity had been addressed in the report: Counsel opinion had been sought on this matter and the advice was compared to the 2009 appeal, this application represented a smaller proportion of the housing

requirement in the Local Plan, and the Council was not pre-judging its Spatial Strategy as this had already been agreed.

- The Environmental Impact Assessment (EIA) reflected the 1800 homes sought in this application, which must be decided on its merits; if applications were subsequently received for more homes, these would have to have their own EIA;
- The mitigation measures in Bramley were subject of further detailed analysis, but traffic signals could facilitate bus priority without the need for a bus lane; the issue of the parking spaces in the High Street would be addressed in the details but there was scope to accommodate hearses and wedding cars; there were other improvements along the A281 route, which would also alleviate the impact of traffic;
- Highways Officers were confident that the traffic modelling was as accurate as possible; the model was fit for purpose and built to best practice standards, and modelled what was shown in the plans; the applicant's modelling had been robustly challenged and validated;
- There was potential to accommodate additional housing on site (up to 2600 homes) without encroaching on the proposed country park and landscaping;

With no further comments from Members of the Committee, the Chairman moved to the recommendations.

At 10:35pm the Committee agreed to a proposal by the Chairman that there should be a recorded vote on Revised Recommendation A.

Decision

Revised Recommendation A:

RESOLVED that, having regard to the environmental information contained in the application, the accompanying Environmental Statement (and addendum), together with proposals for mitigation, subject to the applicant entering into an appropriate legal agreement, within 6 months of the date of the committee resolution to grant planning permission, to secure the provision of/contributions towards: 30% on site affordable housing and market housing mix; education infrastructure, provision of canal basin, SuDS and Foul Water management/maintenance, on site health centre/surgery, public open space provision and maintenance (including sports pitches, pavilion, public art and open space), cycleways, public access, off site highways improvements, travel plan, bus service provision, Community Trust, **Police Service, leisure, community facilities, subject to conditions 1 - 12, 14 - 17, 19 - 27, 29 – 41 as set out in the main agenda and amended conditions 13 and 28 and additional condition in relation to soils**, and subject to referral to the Secretary of State and no receipt of a direction calling-in the application, permission be GRANTED.

A recorded vote was taken, and the voting was as follows:

For (10) – Cllr Carole Cockburn, Cllr David Else, Cllr Mary Forszewski, Cllr Christiaan Hesse, Cllr Peter Isherwood, Cllr Jim Edwards, Cllr Peter Martin, Cllr Andrew Bolton, Cllr Mike Hodge, Cllr John Fraser.

Against (8) – Cllr Maurice Byham, Cllr Kevin Deanus, Cllr John Gray, Cllr Jerry Hyman, Cllr Stephen Mulliner, Cllr Stewart Stennett, Cllr Nick Williams, Cllr Richard Seaborne.

Recommendation B:

RESOLVED that, in the event that the requirements of recommendation A are not met, that permission be REFUSED for the following reasons:

1. Reason

The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development, bus service provision in perpetuity and associated funding and governance, Travel Plan and Travel Plan co-ordinator. As such, the proposal would fail to effectively limit the impacts of the development on existing infrastructure. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.

2. Reason

The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education infrastructure, provision of canal basin, SUDS and Foul Water management/maintenance, on site health centre/surgery, public open space provision and maintenance (including sports pitches, pavilion, public art and open space), cycleways, public access. The proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF.

3. Reason

The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF or an appropriate market housing mix, appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community, contrary to the requirements of paragraph 50 of the NPPF.

The meeting commenced at 6.30 pm and concluded at 10.41 pm

Chairman